# UNITED STATES PATENT AND TRADEMARK OFFICE

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| 09/851,909 | 05/09/2001 | Karim Kaddeche | 998002 PA6 | 3960 |

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| EXAMINER |
|---|
| JANVIER, JEAN D |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3622 | |

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>05 March 2004</u>.

2a)☒ This action is **FINAL.**       2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *4-13* is/are pending in the application.

   4a) Of the above claim(s) *1-3* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *4-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All  b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

## Response To Applicant's Amendments

When at least one claim is amended and submitted in a response, the current status of all

the pending claims should be stated, under 37 CFR 1.121, as either currently amended, as

originally presented or unchanged.

Furthermore, the Examiner's response to the Applicant's amendments is provided below.

## DETAILED ACTION

### *Specification*

The title of the invention, under 37 CFR 1.72, should be descriptive, brief and technically

accurate.

### Status of the claims

Claims 1-13 were originally presented. After a restriction requirement, Applicant elected

without traverse claims 4-13 and hence, claims 4-13 are currently pending and claims 1-3 are

withdrawn from further consideration. **Furthermore, Applicant needs to cancel claims 1-3 in**

**any future correspondence or response.**

### *Claim Objections*

Claims 4 and 9 (including its dependent claims) are objected to because of the following

informalities:

Claim 4 recites in step (b) "generating an identifier to describe the Internet client, <u>said</u> <u>identifier being only unique during a current server /client session</u>" and in step (c) "retrieve, from the profile database, profile information regarding the Internet client with the identifier". The newly added limitations in step (b) render the claim confusing. Here, an <u>identifier being only</u> <u>unique during a current server /client session</u> is interpreted as a dynamic IP address (not a static IP address), which is different for every Internet session and unique for each session while the client remains the same, as understood in the art. Further, a dynamic IP address cannot identify a client with great accuracy since only the area code related to the client and used, among other things, to generate the dynamic IP address can be extracted from the IP address (this is a rough geographic estimate based on zip codes covered by the area code). Thus, the identifier as recited in step(c) cannot be used to retrieve profile information stored in a profile database for the dynamic IP address cannot be used to identify the client such that profile information corresponding to the client can be retrieved from a database. To this end, the term **identifier,** introduced in step (b), will be broadly interpreted as in the last Office Action.

Concerning claim 4, in step (d), the profile information that is passed by the server to the advertisers for their bidding does not include any identifiers that would uniquely identify the Internet client beyond the current server/client **session to thereby preserve the client privacy** **while preventing the advertisers from saving the profile information and any** **corresponding identifier and from creating their own profile database** (See remarks). However, the claim does not recite any temporary identifier, associated with the profile information forwarded to the advertisers, that is necessary in order to complete a bidding

transaction such that the user of the profile information can be identified by the server. To this

end, a critical element necessary to complete the process or a bidding transaction between the

server and an advertiser is missing.

Claim 9 presents the same deficiencies, in step (i), step (j) and step (l), as in claim 4 and

thus, claim 9 is objected to under a similar rationale as applied to claim 4 above.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign
country or in public use or on sale in this country, more than one year prior to the date of
application for patent in the United States.

Claims 4-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Hanson et al.

(hereinafter Hanson), US Patent 5,974,398A.

As per claim 4, Hanson discloses an interactive bidding system (sealed, competitive or

absentee bidding) for allowing advertisers or impression providers to bid for the right to display

their advertising messages to qualified users contingent upon a correlation between the users'

profile and the advertisers' criteria and the highest bid, wherein a user using a client 160

(wireless terminal) connected to the Internet 130 of fig. 1 makes a request from server 660 (ISP)

for information or service. Subsequent to this request, the server 660 accesses a user profile

database (102) (110) (700) for the user's profile or characteristics (demographics including

location) as well as the user's specified interests, an advertiser's database or advertiser

specifications buffer (706) for at least two different advertisers' specifications associated with

two different advertisers and compares the characteristics of the user from the user profile

database with the characteristics from each respective advertiser. Following this profile

matching, the advertiser providing the highest or revised bid value is selected by the user and an

advertising message related to the selected advertiser (bid winner) is transmitted to the user, for

display, by the server 660 and the user receives a reward or credit, as promised, for viewing the

selected advertising messages based on the amount of bid wherein the received credit or reward

helps pay for the user's online service charge (See abstract; figs 1-3 and 6-15; col. 1:38 to col. 2:

10; col. 3: 5-12; col. 4: 54-60; col. 12: 5 to col. 14: 40; col. 11: 17-24; See claims 1and 7 of the

current reference).

In addition, in an alternative embodiment, Hanson discloses an automatic absentee

bidding among the advertisers, as shown in figs 14-15, wherein an advertiser's maximum and

minimum bid values for an absentee bidding, along with the advertiser's criteria, is recorded.

Here, the advertiser can be absent from the network and need not participate directly in the

bidding system when the user comes online. To this end, the server 660 provides an automatic

absentee bidding, having a maximum and minimum bid, on behalf of the advertisers when a user,

having a profile matching the advertiser's bid criteria, comes online. The absentee bidding can

operate simultaneously with the competitive bidding method conducted by other advertisers or

bidders. When a user visits the system on the Internet and makes a request for a service or

information, the server 660 (identifying the user) accesses a user profile database to retrieve the

user's characteristics, accesses at least two respective advertisers' specified user's criteria related

to two respective advertisers (sub plurality of advertisers), compares the user's retrieved

characteristics to the at least two respective advertisers' specified user's criteria and selects a first

and second advertiser (from the sub plurality) with specifications matching the user's

characteristics. If an advertiser from the sub plurality (subset) of advertisers has a maximum bid

(value) less than a highest minimum bid value, as defined or computed by he system, then the

advertiser's bid is ignored. Furthermore, if an advertiser from the sub plurality of advertisers has

a maximum bid (value) greater than a second highest maximum bid value of the sub plurality of

advertisers, then the server 660 retains this advertiser's bid (through this absentee bidding

process, the highest bidder is selected as the winner). Thereafter, transmitting from the server

660 to the Internet client or user the winning bid value along with the advertiser's name (or a

short message describing the business the advertiser is in), receiving by the server 660 from the

user a signal indicating the user's acceptance of the offer and retrieving from the server 660 the

advertiser's message related to the winning bid and displaying the message on the user's

computer screen (here only the winning bid is displayed on the user's computer-figs 14-15; col.

13: 39 to col. 14: 21).

Finally, Hanson does indeed supports retrieving, during a user's online visit, from a

customer profile database 102 of fig. 1 the user's profile information, forwarding the user's

profile information to the bidding advertisers (advertising offer manager), comparing the user's

profile information to the advertisers' criteria (testing stage), displaying the advertisers' bid

offers to the user's computer screen based on this comparison, selecting by the user a bid offer

and retrieving and outputting on the user's computer screen the advertising message related to

the selected bid offer. Here, the user's profile information provided to the advertisers to prepare

their bid offers does not necessarily contain the user's permanent identifier (like a password,

which remains at the user's computer and may not travel across the wire for security purpose).

Further the profile database 102 contains, as disclosed by Hanson, data such as demographic

information about the user (age, gender, marital status, residence, etc.) as well as the user's

psychographic profile. The user's identity is revealed to an advertiser or bid winner only at the

completion of a successful transaction, that is after the bidding stage is finished, wherein the user

has read an advertising message related to the advertiser or bid winner and if the advertiser has

made such a request. This is true in the competitive bidding or absentee bidding. (fig. 3; col. 4:

14-24; col. 4: 54-61; col. 6: 52 to col. 7: 53).

As per claims 5-8 and 10-12, Hanson discloses an interactive bidding system (sealed,

competitive or absentee bidding) for allowing advertisers or impression providers to bid for the

right to display their advertising messages to qualified users contingent upon a correlation

between the users' profile and the advertisers' criteria and the highest bid, wherein a user using a

client 160 (wireless terminal) connected to the Internet 130 of fig. 1 makes a request from server

660 (ISP) for information or service. Subsequent to this request, the server 660 accesses a user

profile database (102) (110) (700) for the user's profile or characteristics (demographics

including location) as well as the user's specified interests, an advertiser's database or advertiser

specifications buffer (706) for at least two different advertisers' specifications associated with

two different advertisers and compares the characteristics of the user from the user profile

database with the characteristics from each respective advertiser. Following this profile

matching, the advertiser providing the highest or revised bid value is selected by the user and an

advertising message related to the selected advertiser (bid winner) is transmitted to the user, for

display, by the server 660 (Internet access provider) and the user receives a reward or credit, as

promised, for viewing the selected advertising messages based on the amount of bid wherein the

received credit or reward helps pay for the user's online service charge. Furthermore, an

interesting advertiser using workstation 120 can communicate to the online service platform 100

a set of defined user attributes, characteristics and weights applied to such attributes, wherein

these characteristics, attributes or variables and weights are used by the advertiser to develop

appropriate bids for the right to display his advertising messages to a particular user having a

particular profile or characteristics and attributes (income, residence, gender, etc.) in accordance

with a weight or scale given to specific subset or specific parameters or attributes from the user's

profile, such as ages of viewing or participating users, matching the advertiser's predefined

attributes from the advertiser's specifications (filtering a subset of the profile information based

on predetermined criteria) (See abstract; figs 1-3 and 6-15; col. 1:38 to col. 2: 10; col. 3: 5-12;

col. 3: 50-56; col. 4: 54-60; col. 5: 64 to col. 6: 5; col. 9: 18-23; col. 10: 32-39; col. 12: 5 to col.

14: 40; See claims 1and 7 of the current reference).

In addition, the user's activity is monitored, tracked and maintained in the active user and

advertiser buffer 732 (col. 9: 45-51). Information regarding the number of times a particular

advertisement is viewed by a user and at what times and whether the advertisement was

previously viewed is stored in advertiser offers database 106 (col. 5: 12-16). Further, usage

session history database 118 stores a user's prior online session usage, wherein the online service

provider uses such information to track a particular session (col. 4: 61 to col. 5: 2). Moreover, it

is herein to be understood that the user's activity collected from the tracking or monitoring

process is used to update the user's profile, thereby allowing the online service to determine

whether an advertisement has already been seen by the user and, in the affirmative, either

exclude it from further consideration or offer it at a reduced rate to the user on behalf of the

advertiser, who received the user's name or identity, depending on the advertiser's wishes (col.

11: 17-24; fig. 13).

Finally, the client can further influence the decision making process of the system by

selecting a winning bid among one or more qualified bids submitted by the advertisers based

upon some factors (the Internet client further specifies one or more criteria for an advertiser to

present an ad-See abstract).

As per claims 9 and 13, Hanson discloses an interactive bidding system (sealed,

competitive or absentee bidding) for allowing advertisers or impression providers to bid for the

right to display their advertising messages to qualified users contingent upon a correlation

between the users' profile and the advertisers' criteria and the highest bid, wherein a user using a

client 160 (wireless terminal) connected to the Internet 130 of fig. 1 makes a request from server

660 (ISP) for information or service. Subsequent to this request, the server 660 accesses a user

profile database (102) (110) (700) for the user's profile or characteristics (demographics

including location) as well as the user's specified interests, an advertiser's database or advertiser

specifications buffer (706) for at least two different advertisers' specifications associated with

two different advertisers and compares the characteristics of the user from the user profile

database with the characteristics from each respective advertiser. Following this profile

matching, the advertiser providing the highest or revised bid value is selected by the user and an

advertising message related to the selected advertiser (bid winner) is transmitted to the user, for

display, by the server 660 and the user receives a reward or credit, as promised, for viewing the

selected advertising messages based on the amount of bid wherein the received credit or reward

helps pay for the user's online service charge. Furthermore, an interesting advertiser using

workstation 120 can communicate to the online service platform 100 a set of defined user

attributes, characteristics and weights applied to such attributes, wherein these characteristics,

attributes or variables and weights are used by the advertiser to develop appropriate bids for the

right to display his advertising messages to a particular user having a particular profile or

characteristics and attributes (income, residence, gender, etc.) in accordance with a weight or

scale given to specific subset or specific parameters or attributes from the user's profile, such as

ages of viewing or participating users, matching the advertiser's predefined attributes from the

advertiser's specifications (filtering a subset of the profile information based on predetermined

criteria) (See abstract; figs 1-3 and 6-15; col. 1:38 to col. 2: 10; col. 3: 5-12; col. 3: 50-56; col. 4:

54-60; col. 5: 64 to col. 6: 5; col. 9: 18-23; col. 10: 32-39; col. 12: 5 to col. 14: 40; See claims

1 and 7 of the current reference).

It is herein understood that when certain attributes from the user's profile match an

advertiser's defined variables or characteristics and the bid value offered is acceptable, the

advertiser receives the identify of the targeted user and earns the right to display at least one

advertising message to the user, who may choose to view the advertising message immediately

or in the future (reserving the right to present an ad to a qualified user) (col. 8: 39-41;col. 10: 40-

52; col. 11: 17-24; col. 13: 1-3; figs. 11 and 13).

In addition, in an alternative embodiment, Hanson discloses an automatic absentee

bidding among the advertisers, as shown in figs 14-15, wherein an advertiser's maximum and

minimum bid values for an absentee bidding, along with the advertiser's criteria, is recorded.

Here, the advertiser can be absent from the network and need not participate directly in the

bidding system when the user comes online. To this end, the server 660 provides an automatic

absentee bidding, having a maximum and minimum bid, on behalf of the advertisers when a user,

having a profile matching the advertiser's bid criteria, comes online. The absentee bidding can

operate simultaneously with the competitive bidding method conducted by other advertisers or

bidders. When a user visits the system on the Internet and makes a request for a service or

information, the server 660 (identifying the user) accesses a user profile database to retrieve the

user's characteristics, accesses at least two respective advertisers' specified user's criteria related

to two respective advertisers (sub plurality of advertisers), compares the user's retrieved

characteristics to the at least two respective advertisers' specified user's criteria and selects a first

and second advertiser (from the sub plurality) with specifications matching the user's

characteristics. If an advertiser from the sub plurality (subset) of advertisers has a maximum bid

(value) less than a highest minimum bid value, as defined or computed by he system, then the

advertiser's bid is ignored. Furthermore, if an advertiser from the sub plurality of advertisers has

a maximum bid (value) greater than a second highest maximum bid value of the sub plurality of

advertisers, then the server 660 retains this advertiser's bid (through this absentee bidding

process, the highest bidder is selected as the winner). Thereafter, transmitting from the server

660 to the Internet client or user the winning bid value along with the advertiser's name (or a

short message describing the business the advertiser is in), receiving by the server 660 from the

user a signal indicating the user's acceptance of the offer and retrieving from the server 660 the

advertiser's message related to the winning bid and displaying the message on the user's

computer screen (here only the winning bid is displayed on the user's computer-figs 14-15; col.

13: 39 to col. 14: 21).

Finally, Hanson does indeed supports retrieving, during a user's online visit, from a

customer profile database 102 of fig. 1 the user's profile information, forwarding the user's

profile information to the bidding advertisers (advertising offer manager), comparing the user's

profile information to the advertisers' criteria (testing stage), displaying the advertisers' bid

offers to the user's computer screen based on this comparison, selecting by the user a bid offer

and retrieving and outputting on the user's computer screen the advertising message related to

the selected bid offer. Here, the user's profile information provided to the advertisers to prepare

their bid offers does not necessarily contain the user's permanent identifier (like a password,

which remains at the user's computer and may not travel across the wire for security purpose).

Further the profile database 102 contains, as disclosed by Hanson, data such as demographic

information about the user (age, gender, marital status, residence, etc.) as well as the user's

psychographic profile. The user's identity is revealed to an advertiser or bid winner only at the

completion of a successful transaction, that is after the bidding stage is finished, wherein the user

has read an advertising message related to the advertiser or bid winner and if the advertiser has

made such a request. This is true in the competitive bidding or absentee bidding. (fig. 3; col. 4: 14-24; col. 4: 54-61; col. 6: 52 to col. 7: 53).

## Response To Applicant's Arguments

In general, Applicant's arguments related to the claimed invention are based on features that are not directly or necessarily claimed. Although the claims are interpreted in light of the specification, however, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). For example, the Applicant argues **that the present invention places the burden of determining the cost of an impression on the advertisers who are bidding, which is not claimed,** while the Hanson's reference is directed to a system for having a user choose an advertiser's message after the user has seen the advertisers most willing to pay for the user's attention. First, in the Hanson's system, the advertisers do in fact determined the cost of their bids and the top four bids, as shown in fig. 4, are displayed on the user's computer where the user selects one bid among the displayed bids and the message associated with the selected bid will be retrieved and displayed to the user (the user influences the advertiser's decision or complements the advertiser's criteria or specification) (figs 4-5; col. 7: 54-67). Indeed, claim 8 of the present Application reflects the teachings of Hanson as presented here. In addition, in an alternative embodiment, Hanson discloses an automatic absentee bidding among the advertisers, as shown in figs 14-15, wherein an advertiser's maximum and minimum bid values for an absentee bidding, along with the advertiser's criteria, is recorded. Here, the advertiser can be absent from the network and need not participate directly in the bidding system when the user comes online. To this end, the server

660 provides an automatic absentee bidding, having a maximum and minimum bid, on behalf of

the advertisers when a user, having a profile matching the advertiser's bid criteria, comes online.

The absentee bidding can operate simultaneously with the competitive bidding method

conducted by other advertisers or bidders. When a user visits the system on the Internet and

makes a request for a service or information, the server 660 (identifying the user) accesses a user

profile database to retrieve the user's characteristics, accesses at least two respective advertisers'

specified user's criteria related to two respective advertisers (sub plurality of advertisers),

compares the user's retrieved characteristics to the at least two respective advertisers' specified

user's criteria and selects a first and second advertiser (from the sub plurality) with specifications

matching the user's characteristics. If an advertiser from the sub plurality (subset) of advertisers

has a maximum bid (value) less than a highest minimum bid value, as defined or computed by he

system, then the advertiser's bid is ignored. Furthermore, if an advertiser from the sub plurality

of advertisers has a maximum bid (value) greater than a second highest maximum bid value of

the sub plurality of advertisers, then the server 660 retains this advertiser's bid (through this

absentee bidding process, the highest bidder is selected as the winner). Thereafter, transmitting

from the server 660 to the Internet client or user the winning bid value along with the

advertiser's name (or a short message describing the business the advertiser is in), receiving by

the server 660 from the user a signal indicating the user's acceptance of the offer and retrieving

from the server 660 the advertiser's message related to the winning bid and displaying the

message on the user's computer screen (here only the winning bid is displayed on the user's

computer-figs 14-15; col. 13: 39 to col. 14: 21).

Moreover, the Applicant points out that the profile information that is passed by the

server to the advertisers for their bidding does not include any identifiers that would uniquely

identify the Internet client beyond the current server/client **session to thereby preserve the**

**client privacy while preventing the advertisers from saving the profile information and any**

**corresponding identifier and from creating their own profile database** (See remarks).

Hanson does indeed supports retrieving, during a user's online visit, from a customer profile

database 102 of fig. 1 the user's profile information, forwarding the user's profile information to

the bidding advertisers (advertising offer manager), comparing the user's profile information to

the advertisers' criteria (testing stage), displaying the advertisers' bid offers to the user's

computer screen based on this comparison, selecting by the user a bid offer and retrieving and

outputting on the user's computer screen the advertising message related to the selected bid

offer. Here, the user's profile information provided to the advertisers to prepare their bid offers

does not necessarily contain the user's permanent identifier (like a password, which remains at

the user's computer and may not travel across the wire for security purpose). Further the profile

database 102 contains, as disclosed by Hanson, data such as demographic information about the

user (age, gender, marital status, residence, etc.) as well as the user's psychographic profile. The

user's identity is revealed to an advertiser or bid winner only at the completion of a successful

transaction, that is after the bidding stage is finished, wherein the user has read an advertising

message related to the advertiser or bid winner and if the advertiser has made such a request.

This is true in the competitive bidding or absentee bidding. (fig. 3; col. 4: 14-24; col. 4: 54-61;

col. 6: 52 to col. 7: 53).

Therefore, the Applicant's request for allowance or withdrawal of the last Office Action has been fully considered and respectfully denied in view of the foregoing response since the Applicant's arguments as herein presented are not plausible and thus, the last Office Action, as shown below, is hereby maintained and the current **Office Action has been made Final.**

## Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 5,794,210 to Goldhaber discloses, among other things, a system for paying a customer for viewing an ad on the Internet wherein the customer is specifically targeted using profile information provided by the customer and wherein advertisers can bid for the right to display their advertising messages to the customer.

**WO 98/34189 A1** to Roth discloses a system for displaying an ad to a customer on the Internet wherein the customer is specifically targeted using profile information provided by the customer and wherein advertisers can bid for the right to display their advertising messages to the customer.

US Patent 6,324,519 to Elderly discloses an advertising auction system.

US Patent 5, 724,521 to Dedrick discloses a system for displaying an ad to a customer on the Internet wherein the customer is specifically targeted using profile information provided by

the customer and wherein advertisers pay for the right to display their advertising messages to

the customer based on a best-fit profile matching.

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication from the Examiner should be directed to

Jean D. Janvier, whose telephone number is (703) 308-6287). The aforementioned can normally

be reached Monday-Thursday from 10:00AM to 6:00 PM EST. If attempts to reach the Examiner

by telephone are unsuccessful, the Examiner's Supervisor, Mr. Eric W. Stamber, can be reached

at (703) 305- 8469.

For information on the status of your case, please call the help desk at (703) 308-1113.

Further, the following fax numbers can be used, if need be, by the Applicant(s):

After Final-    703-872-9327

Before Final -703-872-9326

Non-Official Draft- 703-746-7240

Customer Service- 703-872-9325

JDJ
05/05/04

Jean D. Janvier
Patent Examiner
Art Unit 3622